

Application No. 09/223,516
Amendment dated September 30, 2003
Reply to Office Action of July 30, 2003

REMARKS

Claims 11-15 and 28-38 are pending in this application. Each claim was rejected. Independent claim 11 is canceled and claim 39 is added in this amendment. Further, independent claims 28, 30, 32 and 36 are presently amended. The Examiner's thorough and thoughtful comments are greatly appreciated.

Independent claim 11 was rejected under 35 U.S.C. § 102 as being anticipated by both Ottesen et al. and Vogel et al. However, Ottesen is not believed to be a prior art reference pursuant to § 102(b) as stated in the office action. Nevertheless, new claim 39, which replaces claim 11 is believed to be patentable over Ottesen (even if it were a 102(b) reference, which it is not) and Vogel. For example, claim 39 is for a transmitter. Claim 39 calls for a monitor that monitors an ongoing video transmission and control information that is optionally separately received by the monitor, the monitor to insert the control information within the ongoing video transmission when the control information is separately received. Ottesen et al. is not believed to optionally separately receive an ongoing video transmission and control information.

New claim 39 also calls for a transmission device that transmits the ongoing transmission monitored by the monitor, the monitored video transmission transmitted to more than one receiver. In the office action, it is stated that Vogel's transmission device is an over the air broadcast television transmitter or cable television transmitter transmission. It is respectfully submitted that Vogel does not disclose an over the air broadcast television transmitter or cable television transmitter transmission that transmits a monitored ongoing transmission as claimed in new claim 39. Thus, neither Ottesen nor Vogel anticipate new claim 39.

Claim 11 was also rejected pursuant to 35 U.S.C. § 103(a) as being obvious over Woo in view of Camras. New claim 39 calls for a monitor that monitors an ongoing video transmission and control information that is optionally separately received by the monitor. Woo does not optionally separately receive control information or insert the control information within the ongoing video transmission when the control information is separately received. Thus, new claim 39 and the claims dependent therefrom are believed to be patentable over Woo in view of Camras.

Independent claim 28 was rejected under 35 U.S.C. § 102 as being separately anticipated by Vogel, Kim and Akira. Independent claim 28 was also rejected pursuant to 35 U.S.C. § 103(a)

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as being obvious over Woo in view of Camras. With respect to Vogel, as stated above, Vogel does not disclose transmitting a monitored video transmission, as claimed in claim 28. Further, neither Kim nor Akira are believed to disclose every limitation of amended claim 28. Thus, as amended, claim 28 is not anticipated by Vogel, Kim or Akira. Similarly, for reasons explained above with respect to claim 39, claim 28 is not believed to be obvious over Woo in view of Camras. As such, claim 28 and the claims dependent therefrom are believed to be patentable.

Claim 30 was rejected under 35 U.S.C. § 102 as being anticipated by Kim and Akira. As amended, claim 30 is believed to be patentably distinct. Claim 30 was also rejected under 35 U.S.C. § 103(a) as being obvious over Woo in view of Camras. For at least the reasons outlined with respect to claim 39, claim 30 is also not believed to be obvious over Woo and Camras.

Independent claims 32 and 36 were rejected pursuant to 35 U.S.C. § 102 as being anticipated by Kim and Yamamura. Claims 32 and 36 were also rejected as being obvious over Woo in view of Camras. Claims 32 and 36 have been amended to define the term "replay." In view of this definition, claims 32 and 36 are not believed to be anticipated or obvious.

In view of the above remarks, the application is believed to be in condition for allowance. Thus, withdrawal of each of the rejections is respectfully requested to allow the application to pass to issue.

Respectfully submitted,

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